Remarks

The present response is filed with a Request for Continued Examination, and is to the action mailed in the above-referenced case on July 25, 2005, made Final. Claims 1-42 are presented for examination. The Examiner, in paragraph 3 in the Response to Argument section of the detailed Action, maintains that applicant has still not complied with certain conditions required for receiving the benefit of an earlier filing date under 35 U.S.C. 120. Applicant duly notes the Examiner's remarks pertaining to the Priority issue, and will further investigate the facts and circumstances regarding this issue for future subsequent action and response.

Regarding the specification, the examiner has objected to applicant's amendment filed May 05, 2005 under 35 U.S.C. 132(a) for introducing new matter into the disclosure. In applicant's above previous response applicants amended independent claim 18 to recite "a remote enterprise server" and that the instant messaging is retrieved from the separate server containing an intelligent routing software suite used for disposing all communication events occurring within the enterprise".

In response, applicant respectfully disagrees with the examiner that the added limitations are added subject matter not supported by the disclosure. Applicant points out to the Examiner that applicant's independent claim 1 specifically recites "at least one intermediate server connected to an addressable on the network and accessible to the instant message server, but intermediate server having access to routing rules and capability". Applicant's previous amendment to independent claim 18 adds this subject matter to the claim. Applicant therefore amends the language of claim 18 in this response to more accurately recite at least one intermediate server connected to an addressable on the network and accessible to the instant message server, the intermediate server having access to routing rules and capability. Applicant also amends independent

claim 1 to recite that the routing system is further characterized in that the intermediate server contains an intelligent routing software suite used for disposing all communication events occurring within the enterprise.

Regarding the examiner's position that the added subject matter is the material not supported in the disclosure, applicant respectfully reminds the examiner that that, according to the Four Corners Rule, the language of applicant's claims (Claim 1 prior to amendment) is itself disclosure supporting an intermediate server. All of the architectural elements recited in applicant's claims are shown in applicant's Figure 10. The Four Corners Rule specifies that all subject matter in the claims, drawings and specification singularly may be counted as disclosure. Applicant therefore adds the claim language supporting intermediate server, as outlined above, to overcome the Examiner's specific rejection of applicant's disclosure based on that premise.

In the instant Office Action the examiner has rejected claim 18 under 35 U.S.C. 112, second paragraph, has been indefinite due to lack of antecedent basis for the phrase "the server" in line 13, and has further rejected the claim under 35 U.S.C. 112, second paragraph, has being incomplete for omitting essential structural cooperative relationships of elements. In response, applicant provides the appropriate amendment to the language of claim 18 to overcome the rejection. In response, applicant has amended claim 18 to replace "the server" with "the proxy server". Applicant believes that what this amendment, and the above amendments which more accurately recite the intermediate server and its cooperation with other elements in the claim, are adequate to overcome the examiner's 112 rejections.

Further to the above, the Examiner has rejected claims 1-42 under 35 U.S.C. 103(a) as being unpatentable over Ben-Chanoch (US 6,707,906 A1) hereinafter Ben-Chanoch in view of Price (US 6,389,132) hereinafter Price. The Examiner has admitted in his remarks that, regarding claim 1, Ben-Chanoch fails to explicitly teach at least one intermediate server connected to an addressable on

the network and accessible to the instant message server, the intermediate server having access to routing rules and capability. The Examiner has relied on a reference of Price for teaching this deficiency.

However, applicant respectfully points out to the examiner that Contact Server 20 of Price may be capable of managing the sequencing of multiple customers and establish connections between the customer 12 and agents of the contact center, the contact server 20 does not contain or have access to an intelligent routing software suite used for disposing all communication events occurring within the enterprise (communication center), as is taught in applicant's disclosure as recited in the independent claims as amended. The reference does teach that the Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28, but the reference still fails to teach the capability of routing received instant messages from customers through an intermediate server, based on routing rules and capability. Applicant reiterates that Price teaches the ability to route phone calls, voice calls on the Web or e-mails, but does not have the capability to route instant messages, utilizing an intermediate server, based on enterprise rules stored in the intermediate server. It is applicant's strong opinion that the Examiner has still failed to provide a valid reference that is capable of routing instant message protocol requests for communication from a client to customer service representatives using an intermediate server based on enterprise rules.

Applicant therefore believes that independent claims 1 and 18 are patentable as amended and argued above. Applicant's independent claim 31 recites applicant's method in accordance with the limitations of claims 1 and 18. Therefore, claim 31 is also patentable as argued above on behalf of claims 1 and 18 as amended. Dependent claims 2-17, 19-30 and 32 through 42 are then patentable on their own merits, or at least as depended from a patentable claim.

Applicant believes the claims as amended and presented for examination are patentable to applicant over the references cited and applied, and therefore

requests reexamination and that the case be passed quickly to issue. If there are any extensions of time required beyond an extension specifically petitioned and paid with this response, such extensions are hereby requested. If there are any fees due beyond any fees paid by check with this response, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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